

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GLADIES M. AARON, et al.,

Defendants.

CASE NO. 2:21-cv-00568-DGE

ORDER TO SHOW CAUSE

This matter comes before the Court on review of the court record. On July 24, 2023, Plaintiff United States of America filed a motion for entry of default against Phillip James Aaron, as personal representative of the Estate of Phillip Aaron. (Dkt. No. 74.)

On July 20, 2023, the Court ordered the substitution of Phillip James Aaron in place of Phillip Richard Aaron ("Richard Aaron"), personal representative of the Estate of Phillip Aaron. (Dkt. No. 69.) Phillip James Aaron was served with notice of the United States of America's motion for substitution. (*See* Dkt. No. 72.)


1 The Court previously ordered the substitution of Richard Aaron in place of Phillip Aaron
2 after Phillip Aaron passed away. (*See* Dkt. No. 40.) The United States of America filed an
3 amended complaint, the operative complaint in this matter, on August 15, 2022. (Dkt. No. 41.)
4 Richard Aaron waived service of the United States of America's summons and amended
5 complaint. (*See* Dkt. No. 58.) Despite waiving service, Richard Aaron did not respond to the
6 amended complaint by the deadline required by the Federal Rules.

7 The United States of America has not yet served Phillip James Aaron with a summons or
8 copy of the complaint in this matter. Nonetheless, a "substituted party steps into the same
9 position as original party." *Hilao v. Est. of Marcos*, 103 F.3d 762, 766 (9th Cir. 1996).

10 Therefore, it is hereby ORDERED that, not later than August 14, 2023, counsel for
11 Phillip James Aaron shall show cause in writing, if any they have, why the Clerk of Court should
12 not enter default against Phillip James Aaron, as personal representative of the Estate of Phillip
13 Aaron.

14 The Clerk is directed to send uncertified copies of this Order to all counsel of record.

15 Dated this 7th day of August, 2023.

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18 David G. Estudillo
19 United States District Judge
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